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APPLICATION NO.	FILING DA	ATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,471	10/21/2003		Vivien Ann Munoz-Ferrada	FBRIC44.001AUS	5957
20995	7590 I	0/19/2005		EXAM	IINER
	IARTENS OL	BRUCE, DAVID VERNON			
2040 MAIN S FOURTEEN				ART UNIT	PAPER NUMBER
IRVINE, CA		2882			

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	11/			
	Application No.	Applicant(s)		
	10/691,471	MUNOZ-FERRADA ET AL.		
Office Action Summary	Examiner	Art Unit		
	David V. Bruce	2882		
The MAILING DATE of this communication a	appears on the cover sheet w	th the correspondence address		
A SHORTENED STATUTORY PERIOD FOR REI WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory per - Failure to reply within the set or extended period for reply will, by sta Any reply received by the Office later than three months after the may earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNI 1.1.136(a). In no event, however, may a 1.1.136(b). In no event, however, may a 1.1.136(c). In no event, however, however	CATION. eply be timely filed ITHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).		
Status				
1) Responsive to communication(s) filed on 29	9 July 2005.			
, ,	his action is non-final.			
3) Since this application is in condition for allow	wance except for formal mat	ers, prosecution as to the merits is		
closed in accordance with the practice unde	er <i>Ex par</i> te Quayle, 1935 C.D	. 11, 453 O.G. 213.		
Disposition of Claims				
4) ☐ Claim(s) 1.3-12.14-28.30-35 and 37-48 is/a 4a) Of the above claim(s) is/are without 5) ☐ Claim(s) 1.3-12.14-22.27.28.30-35.37-44 and 6) ☐ Claim(s) 23-26 is/are rejected. 7) ☐ Claim(s) 45 is/are objected to. 8) ☐ Claim(s) are subject to restriction and	drawn from consideration. nd 46-48 is/are allowed.			
Application Papers				
9) ☐ The specification is objected to by the Exam 10) ☑ The drawing(s) filed on 22 March 2004 is/arc Applicant may not request that any objection to t Replacement drawing sheet(s) including the corn 11) ☐ The oath or declaration is objected to by the	e: a)⊠ accepted or b)⊡ ob the drawing(s) be held in abeyan rection is required if the drawing	nce. See 37 CFR 1.85(a). (s) is objected to. See 37 CFR 1.121(d).		
Priority under 35 U.S.C. § 119	•			
12) Acknowledgment is made of a claim for fore a) All b) Some * c) None of: 1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the papplication from the International Bur	ents have been received. ents have been received in A priority documents have been reau (PCT Rule 17.2(a)).	pplication No received in this National Stage		
* See the attached detailed Office action for a	list of the certified copies not	received.		
Attachment(s)				
1) Notice of References Cited (PTO-892)	· —	Summary (PTO-413)		
 Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/Paper No(s)/Mail Date 	T	s)/Mail Date Informal Patent Application (PTO-152)		

Page 2

Application/Control Number: 10/691,471

Art Unit: 2882

DETAILED ACTION

Claim Rejections - 35 USC § 103

- 1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reitan US 5,600,574 A. Reitan shows all of the features of the instant invention except for the use of a 16-bit scanner with an alignment template. The use of alignment marks (template) and 16-bit grayscale (48-bit color) is well known for flatbed scanners. In fact, over the last decade, this Examiner has owned seven flatbed scanners, all of which had alignment marks around the platen glass. Additionally, scanners of higher resolution and greater color depth have consistently performed better than the older scanners with lower resolution and color depth *even when* creating low-resolution, low-color depth images. It would have been obvious to one of ordinary skill in the art at the time of the instant invention to use a 16-bit grayscale (48-bit color) scanner with alignment marks (template) instead of the 12-bit (36-bit color) scanner motivated by the desire to reduce quantization and alignment error.

Allowable Subject Matter

4. Claims 1, 3-12, 14-22, 27, 28, 30-35, 37-44, and 46-48 are allowed.

Application/Control Number: 10/691,471 Page 3

Art Unit: 2882

5. Claim 45 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: In the claims, with all the limitations as claimed, the allowable claims address an operational performance report of an X-ray film processor, which is neither shown nor fairly suggested in the prior art. Claim 45 addresses the use of a specific sensitometric strip.

Conclusion

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David V. Bruce whose telephone number is (571) 272-2487. The examiner can normally be reached on M - Th and alt Fri 8:00 - 4:30 subject to I-Flex.

Application/Control Number: 10/691,471 Page 4

Art Unit: 2882

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward J. Glick can be reached on (571) 272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David V Bruce Primary Examiner

Art Unit 2882

dvb